IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 4579 of 2003

Between:

G.Sarojini W/o.Prasad Rao
R/o.Pent House, Subhadarshi Towers Patamata, Donka

Road, Vijayawada

..... PETITIONER

AND

-

1 Municipal Corporation of Vijayawada rep.by its

Commissioner, Vijayawada
2 Municipal Corporation of Vijayawada rep.by its Planner,

Vijayawada
3 M/s Subhadarshi Housing Private Limited rep.by its

Managing Director, P.Shanker Rao, S/o.P.Sriramulu

Subhadarshi Towers, Patamata Donka Road,

Vijayawada
4 Sri V.V.S.Satyanarayana S/o.V.Prakash Rao
GPA Holder of M/s Subhadarshi Housing Pvt. Ltd.,

R/o.Gopuvanipalem Village, Pothireddypalem Post,

Machilipatnam Mandal Krishna District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction, preferably a writ in the nature of mandamus, declaring the action of the respondents 1 and 2 in seeking to demolish pent house, 5th floor, Subhadarshi Towers, Patamata Donka Road, Vijayawada,

under the notice No.1/2003 Dt.12/03/2003 received by the petitioner on 15/03/2003 as being illegal, arbitrary, without jurisdiction and violative of Articles 14 and 300A of the Constitution of India and consequently direct the respondents 1 and 2 not to demolish the said pent house by setting aside the impugned notice and to pass such other order.

Counsel for the Petitioner: Mr. Ratna Sudhakar appearing for

MR.P.VENUGOPAL

Counsel for the Respondent No. 1 & 2: Mr.T.S. Venkataramana

Counsel for Respondent Nos.3&4: none appeared.

The Court made the following ORDER:

After making strenuous submissions for some time, the learned counsel for the petitioner Sri Ratna Sudhakar representing Sri P. Venugopal sought permission of this court to withdraw the writ petition. Permission is accorded and the Writ Petition is dismissed as withdrawn with a liberty to avail appropriate remedy under law. No costs.

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V.V.S. RAO, J.

27th July, 2004

Js

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 Municipal Corporation of Vijayawada rep.by its

Commissioner, Vijayawada
2 Municipal Corporation of Vijayawada rep.by its Planner,

Vijayawada
3 2 CD copies.